

The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL
OF THE
PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES
OF THE
TERRITORY OF THE UNITED STATES OF
AMERICA, SOUTH OF THE RIVER OHIO;
BEGUN AND HELD
AT KNOXVILLE, THE 29TH DAY OF JUNE, 1795.

KNOXVILLE:
PRINTED BY GEORGE ROULSTONE, PRINTER TO THE TERRITORY, 1795.

NASHVILLE:
RE-PRINTED BY McKENNIE & BROWN, TRUE WHIG OFFICE.
1852.

**ORDERED TO BE RE-PRINTED BY THE GENERAL ASSEMBLY
OF THE STATE OF TENNESSEE, OF 1851-'2.**

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

MONDAY, June 29th, 1795, being the day appointed for the meeting of the Representatives of the people of the Territory of the United States of America, south of the river Ohio.

The following members appeared and took their seats, viz. Joseph Hardin, George Doherty, William Cocke, John Tipton, Leeroy Taylor, James Ford, Joseph M'Min, Alexander Kelly, and John Beaird, esquires.

The house proceeded to the choice of a speaker, when Mr. Hardin was unanimously chosen and conducted to the chair.

Thomas Hardiman, esq. from Davidson county, and Abraham Landers, esq. from Sumner county, appeared, produced credentials of election, and took their seats.

Ordered, that the following message be sent to his Excellency Governor Blount.

SIR. The House of Representatives are now met agreeably to your appointment, and are ready to receive any communications that your Excellency may think proper to lay before them.

Ordered, that a message be sent to the Council, informing them that the house are met, and ready to proceed to business.

Adjourned until to-morrow 9 o'clock, A. M.

TUESDAY, JUNE 30, 1795.

Met according to adjournment.

Mr. Wear appeared and took his seat.

Mr. Dougherty moved that a committee of privileges and elections be appointed.

Messrs. Cocke, Tipton, Hardiman, Landers, Taylor, and Ford, were appointed a committee for that purpose.

Received from the Council a bill pointing out the method of compelling persons residing in this Territory to give evidence in causes pending in any of the United States; endorsed, read the first time and passed, which being read the first time was returned.

A message from the Council :

Mr. Speaker and Gentlemen of the House of Representatives,

The Council are ready to receive any communications you may make. They have appointed Mr. Taylor on the part of the Council, to join such members of your house as you may appoint as a committee of propositions and grievances; and Mr. Winchester with such members of your house as you may join, to prepare such bills of a public nature as may be necessary to be passed into laws the present session. Concurred with, and Messrs. Tipton, Doherty, Cocke, and Landers, are appointed for the committee of propositions and grievances:—And Messrs. M'Min, Taylor, Cocke, Hardiman, Landers, and Kelly, are appointed for the committee to prepare such bills of a public nature as may be necessary to be passed into laws the present session.

Ordered, that a message be sent to the Council rejecting the same.

Mr. Cocke moved for leave and presented a bill to repeal an act, intitled, an act to prevent the wilful and malicious killing of slaves, passed at Newbern the 19th day March 1774: *Ordered* to be read, which being read, was passed the first time and sent to the Council.

Received a message from the Council, accompanying one from his Excellency Governor Blount, proposing a conference of both houses, on the contents of the Governor's message :

Message from the Governor :

Mr. President and Gentlemen of the Legislative Council, and

Mr. Speaker and Gentlemen of the House of Representatives,

The principal object for which I have called you together at an earlier period, than that to which the General Assembly stood prorogued, is to afford an opportunity to enquire whether it is as I have been taught to believe, the wish of the majority of the people, that this Territory should become a state, when, by taking the enumeration there should prove to be sixty thousand free inhabitants therein, or at such earlier period as Congress shall pass an act for its admission; and if it is, to take such measures as may be proper to effect the desired change of the form of government as early as practicable.

Upon experience it is found, that the fine and double tax imposed upon non-residents, proprietors of taxable property, who failed to return the same to the justices of the peace, appointed to take the tax list, within the time limited by law, is oppressive and unjust, in as much as the time allowed for returning lists of the said taxable property, had, in many instances, expired, and the non-resident proprietors made liable to a heavy fine and double-tax, before they had information that the law imposing such tax had passed.—Our national character (yet in its infancy, and ought to be carefully nursed) and justice too requires, that relief should, at this

session of the General Assembly, be allowed to that description of our fellow-citizens.

Doubts also have arisen upon the tax law, whether it was or was not the intention of the General Assembly to levy a public tax for the year 1794. I have judged that it was not, and have issued commissions for collectors of that tax only for the year 1795.

And should it have come within your knowledge, that there are other parts of the law upon which difference of opinion has arisen, as to the manner of carrying it into effect, this would be the most proper time to pass an act explanatory of that law.

I presume it cannot but be known to you, that the attempt to raise a fund for the purpose of discharging the cost of cutting and clearing a waggon road from South West Point to the settlements on Cumberland river, by Lottery, will prove abortive: But I am so fully impressed with the many advantages that will result to the public from such a road, that I cannot forbear to recommend to you, Gentlemen, to extend such Legislative aid to that object, as may be in your power, in which you may rely on my hearty concurrence.

As to other objects essential to be taken up this session, none occur to me, but I shall concur with you in such measures as shall be found to promote the general interest and happiness of the people.

Upon the head of Indian affairs, I have the pleasure to inform you, that the prospects of peace between the United States, and all the Indian tribes or nations, are more pleasing than at any other period since the commencement of the war between Great Britain and the United States. I would not, however, in thus expressing myself be understood, that it is my opinion, that no more murders and thefts will be committed by Indians upon the frontier citizens; on the contrary I believe, that while there is a tribe of Indians remaining on this side of the Mississippi, uncircumscribed by the citizens of the United States, that a description of them by the Chiefs, denominated, *bad young men*, will continue, more or less, frequently to commit murders and thefts upon the frontier inhabitants; but against that description of Indians, as well as all others, should an alteration of disposition take place, Congress, at the last session, by the augmentation of the military establishment, have enabled the President to give more effectual protection to the frontier citizens than they have hitherto experienced.

Signed,

WILLIAM BLOUNT.

Ordered, that a message be sent to the Council, agreeing to the proposition of a conference of both houses, to meet at half past 11 o'clock, A. M. at the court house.

Mr. Rutledge appeared and took his seat.

Received from the Council a letter signed B. Searcy, praying the emancipation of negro Bob; endorsed, read, and referred to a committee of propositions and grievances, with which this house does not concur.

Also, a message postponing the time for the meeting of the conference of both houses until to-morrow ten o'clock, with which this house concurs.

Mr. Tipton presented a petition from the inhabitants living on the west side of the Iron Mountain, praying a division of the county of Washington, read, and referred to the committee of propositions and grievances.

Also, a petition of sundry inhabitants of Washington, prescribing lines for the above division, read, and refered as above.

Mr. Dougherty presented a petition of sundry inhabitants of Sevier county for annexing part of Sevier county to Jefferson, read, and refered to the committee of propositions and grievances.

Mr. Kelly presented a petition of sundry inhabitants of Knox county praying a division, read and refered as above.

Adjourned until to-morrow, 10 o'clock.

WEDNESDAY, JULY 1, 1795.

Met according to adjournment.

A petition for the establishment of the town of Dandridge, was read and refered to the committee of propositions and grievances.

Mr. Tipton from the committee of propositions and grievances reported, that the petition of sundry inhabitants living south of French Broad river, praying a division of Knox county is reasonable, and that a bill be brought in this present General Assembly to divide the same, agreeable to the prayer of the petition.

With which this house concurs.

JOHN TIPTON, Chr.

Ordered, that Messrs. Ford, Taylor, and Rutledge, be added to the committee of propositions and grievances.

A petition of sundry inhabitants of Mero District, praying a redress of certain grievances, was read and referred to the committee of propositions and grievances.

Received from the Legislative Council, a bill pointing out the method of compelling persons residing in this Territory to give evidence in causes pending in any of the United States; endorsed, read the second time and passed.

Ordered, that this bill be read, which being read the second time was passed and returned.

Also, a bill to repeal an act, intituled, 'An act to prevent the wilful and malicious killing of slaves,' passed at Newbern the 19th of March, 1774; endorsed, read the first time and passed.

Ordered, that this bill be read, which being read the second time was passed and returned.

Likewise, a bill appropriating certain monies in the hands of certain commissioners, appointed by an act of the General Assembly of North Carolina, passed in the year 1789, intituled, 'An act directing the sale of the Salt Licks and Springs, with the adjoining lands, within the district of Mero; endorsed, read the first time and passed.

Ordered, that this bill be read, which being read, was passed the first time and returned.

Adjourned until to-morrow, 10 o'clock, A. M.

THURSDAY, JULY 2, 1795.

Met according to adjournment.

A bill to divide Knox county was read the first time, passed and sent to the Council.

Mr. Tipton from the committee of propositions and grievances, reported, that the petition of sundry inhabitants of Mero district, praying a revisal of the last tax law, is reasonable, and that the objects, thereby presented, are now under the consideration of the General Assembly.

Also, the petition for establishing the town of Dandridge, is reasonable, and ought to be granted—And that the petition of sundry inhabitants of Washington county, praying a division of the same is reasonable, and that a bill be brought in to divide the same, &c.—And that the petition of sundry inhabitants of the county of Jefferson, praying a removal of the court house of said county ought to be rejected.

JOHN TIPTON, Chr.

With which this house concurs.

A memorial and petition of John Bean was read and referred to the committee of propositions and grievances.

A petition of sundry inhabitants of Sullivan and Hawkins counties, praying an alteration of the place of holding the district court in Washington district, read and referred as above.

A bill to establish the town of Dandridge, on the north bank of French Broad river, on the lands given by Francis Dean to the use of the county of Jefferson, and for appointing commissioners for the regulation thereof, read the first time, passed, and sent to the Council.

A bill from the Council appropriating certain monies in the hands of commissioners, appointed by an act of the General Assembly of North Carolina, passed in the year 1789, intituled, 'An act directing the sale of the Salt Licks and Springs, with the adjoining lands, within the district of Mero; endorsed; read the second time and passed.

Ordered, that this bill be read, which being read, was passed the second time and returned.

A bill was presented to divide the county of Washington into two distinct counties.

Ordered, that this bill be read, which being read the first time, was passed and sent to the Council.

Received from the Council the report of the committee of propositions and grievances, on the petition of the inhabitants of Knox county; endorsed, concurred with.

A message from the Council.

Mr. Speaker and Gentlemen of the House of Representatives,

The Council propose that a joint committee be appointed to take into consideration the most eligible manner of obtaining the sense of the people as to their becoming an independent state, and the necessary measures to be taken thereon: Also, to draw up and present an answer to the address and communication of the Governor at the opening of the session.—Mr. Winchester and Mr. Sevier are appointed on the part of the Council.

Ordered, that Messrs. Cocke, Wear, Landers, Hardiman, Taylor, and Ford be appointed on the part of this house, and that the Council be informed of the same.

Adjourned until to-morrow 10 o'clock, A.M.

FRIDAY, JULY 3, 1795.

Met according to adjournment.

Received from the Council, a bill to divide the county of Knox into two distinct counties ; endorsed, read the first time and passed.

Ordered, that this bill be read, which being read the second time was amended, passed and returned.

Also, a bill pointing out the method of compelling persons residing in this Territory to give evidence, &c. endorsed, read the third time and passed.

Ordered, that this bill be read, which being read the third time was passed and ordered to be engrossed.

Also, a report of the treasurer of Washington and Hamilton districts, which was read and referred to a committee appointed for that purpose.

Ordered, that the following message be sent to the Council :

Mr. President and Gentlemen of the Council,

We propose that a joint committee be appointed to take into consideration the report of the treasurer ; and on our part appoint Messrs. Wear, M'Min, Kelly, and Beaird, to act with such gentlemen as you may appoint.

Received from the Council, a bill to establish the town of Dandridge ; endorsed, read the first time and passed :—And a bill appropriating certain monies arising from the sale of the Salt Licks and Springs, &c. in Mero district ; endorsed, read the third time, amended and passed.

Ordered, that these bills be read, which being read, the former was passed the first time and returned ; the latter passed the third time and ordered to be engrossed.

On motion, a bill was presented to repeal an act, intituled, ' An act for the relief of such persons as have been disabled by wounds, or rendered incapable of providing for themselves and families subsistence in the militia service of this Territory, and providing for the widows and orphans of such as have died—Also, a bill, on motion, was presented, providing for the enumeration of the inhabitants of this Territory.

Ordered, that these bills be read, which being read the first time were passed and sent to the Council.

Mr. Tipton from the committee of propositions and grievances, reported, that the petition of sundry inhabitants of Washington and Hawkins counties, praying, that the Superior Court of Washington district be removed to the centre of the district, ought to be rejected, and that the prayer of the petition of John Bean cannot be granted.

JOHN TIPTON, Chr.

With which this house concurs.

The petition of James Reese and Archibald Fisher, praying a restitution of monies by them expended for the guard, was read and referred to the committee of propositions and grievances.

Received from the Council, a bill to divide the county of Washington into two distinct counties ; endorsed, read the first time and passed.

Ordered, that this bill be read, which being read the second time was amended and passed.

The petition of sundry inhabitants of Sevier county, praying the estab-

lishment of a court house in the said county, was read and refered to the committee of propositions and grievances.

Adjourned until to-morrow 10 o'clock, A. M.

SATURDAY, JULY 4, 1795.

Received from the Council, a bill for establishing Washington college at Salem, &c. endorsed, read the second time and passed.

Ordered, that this bill be read, which being read the second time was amended, passed and returned.

Received also, a bill to amend and explain an act of the General Assembly, passed at Knoxville in September, 1794, intituled, 'An act to repeal so much of an act, requiring persons holding monies arising from fines and forfeitures, imposed for the punishment of public offenders, taxes on proceedings in law and equity; on the probate of deeds; on the registering of grants for land; and the issuing marriage and ordinary licences, as directed by the laws of North Carolina, to account for, and pay the same, as lays a tax on marriage licenses;' endorsed, read the first time and passed.

Ordered, that this bill be read, which being read the first time was passed and returned.

On motion, a bill was presented for the division of Sumner county.

Ordered, that this bill be read, which being read the first time was passed and sent to the Council.

Received also, a bill to amend an act, intituled, 'An act to regulate and ascertain the several officers fees therein contained,' passed at Knoxville, September 29, 1794.

Ordered, that this bill be read, which being read the first time was passed and sent to the Council.

A message from the Council:

Mr. Speaker and Gentlemen of the House of Representatives,

The Council have appointed on their part Mr. Winchester to act with such gentlemen as you may join as a committee to examine engrossed bills, and present the same to his Excellency the Governor for his assent.

Concurred with, and Mr. M'Min appointed on the part of this house for the committee.

Adjourned until Monday 10 o'clock, A. M.

MONDAY, JULY 6, 1795.

A petition of sundry inhabitants of Hawkins, Jefferson and Knox counties, praying a division of said counties, was read, and refered to the committee of propositions and grievances.

Received a bill from the Council for establishing a college at Salem, &c. endorsed, read the third time, amended and passed.

Ordered, that this bill be read, which being read the third time was passed and ordered to be engrossed.

On motion, a bill was presented appointing commissioners for regulating the town of Greeneville in Greene county.—Also, on motion, a bill was

presented to authorise the sheriffs to collect their arrearages in the different counties.

Ordered these bills be read, which being read the first time were passed and sent to the Council.

Received from the Council the following bills: A bill providing for the enumeration of the inhabitants of the Territory of the United States, &c. —A bill limiting the time of attendance of grand jurors at each and every superior court of law.—A bill to amend an act, intituled, 'An act to regulate and ascertain the several officers fees therein contained, passed at Knoxville, September 29, 1794.—A bill for appointing commissioners in the county of Jefferson, for the purpose of erecting a court house, prison and stocks, and laying off a town in said county; endorsed, read the first time and passed.

Ordered, that these bills be read, which being read were passed the first time and returned.

The petition of sundry inhabitants of Sevier county praying the establishment of a court-house, prison and stocks in said county, endorsed, read and referred to the committee of propositions and grievances, was read and concurred with.

A bill to divide Knox county; endorsed, read the second time and passed.

Ordered, that this bill be read, which being read the third time was on motion rejected.

On motion of Mr. Kelly and seconded, the yeas and nays were taken.

Yeas—Messrs. Cocke, Tipton, Kelly, Taylor, and Wear.

Nays—Messrs. M'Min, Doherty, Landers, Beaird, Ford, and Hardiman.

—Yeas 5—Nays 6.

A petition from sundry inhabitants of Mero district, praying that an act be passed to suppress horse-racing, was read and referred to the committee of propositions and grievances.

On motion, a bill was presented establishing a town in Sullivan county by the name of Blountville.

Ordered, that this bill be read, which being read the first time was passed and sent to the Council.

Received from the Council, a bill to amend and explain an act of the General Assembly, passed at Knoxville in September, 1794, intituled, 'An act to repeal so much of an act, requiring persons holding monies arising from fines and forfeitures, imposed for the punishment of public offenders, taxes, &c. &c. as directed by the laws of North Carolina, as lays a tax on marriage licences;' endorsed, read the second time and passed.

Ordered, that this bill be read, which being read was passed and returned.

On motion, a bill was presented to alter and establish a line between the counties of Jefferson and Sevier, on the south side of French Broad river.

Ordered, that this bill be read, which being read the first time was passed and sent to the Council.

Resolved, that no petitions nor bills of a private nature will be taken up nor entered upon during the present session of assembly after to-morrow.

Ordered, that the above resolution be sent to the Council for their concurrence.

Adjourned until to-morrow 9 o'clock A. M.

TUESDAY, JULY 7, 1795.

Met according to adjournment.

Received from the Council the following report :

Mr. Sevier, from the committee appointed to draw up and present an address to his Excellency Governor Blount, in answer to his address and communication of Tuesday last, reported the following, which being read was concurred with.

To his Excellency William Blount, Esquire, Governor and Commander in Chief in and over the Territory of the United States of America, south of the river Ohio.

SIR,

THE members of the Legislative Council, and of the House of Representatives, beg leave to express to your Excellency their approbation of the object for which they were principally called together ; and feeling convinced that the great body of our constituents, are sensible of the many defects of our present mode of government, and of the great and permanent advantages to be derived from a change and speedy representation in Congress, the General Assembly of this Territory, will, during their present session, endeavour to devise such means as may have a tendency to effect that desirable object, and in doing so, we shall feel happy in meeting with your Excellency's concurrence.

Your Excellency may rest assured, that the tax law will be reviewed, and considered with mature deliberation, and whilst we shall labour to remedy that part of the system which has in its operation appeared to you oppressive and unjust, we shall carefully explain such clause or clauses, upon the true construction and meaning of which doubts have arisen.

We regret, Sir, that the attempt made at our last session to raise a fund for the cutting and clearing a waggon road from South-West-Point to the settlements on Cumberland river, by lottery, has not proved commensurate to the object in view : And while we feel a certainty that the public benefit and convenience will be heightened exceedingly from such a road, we shall strive to extend such legislative aid to that object as the present situation and resources of the Territory may admit of.

To promote the general interest and happiness of the people, will be our first and greatest care ; and in this we harbour not a doubt but that we shall meet with your generous assistance.

We rejoice with your Excellency, that the calamities arising from Indian warfare, have now in a great measure ceased to exist upon our exposed frontiers ; and so long as a remembrance of past sufferings continues, we shall entertain a grateful sense of your Excellency's unwearied and constant struggles to promote a general peace with the Indian tribes ; the good effects of which we now so sensibly experience.

It is to be lamented however, that such is the savage disposition of Indians, and so great their thirst for shedding the blood of white men, that even in times of peace, the lives of our frontier settlers are in a greater or degree insecure ; but when this melancholy truth presents itself to our view, we derive great consolation from the pleasing hope, that the federal government will afford us such defensive protection, which as citizens

of America, we have a right to expect, and the present flourishing situation of American resources, and their brilliant armament authorizes us to look for.

We cannot conclude without expressing our approbation of your Excellency's administration, and a sincere wish that the people of this Territory may long experience your generous and patriotic services, in their favour, and for a continuance of your excellency's public, individual and domestic happiness,

JOHN SEVIER, Chr.

Which being read was concurred with by this house.

On motion, a bill was presented to compel the clerks of the several county courts, registers and rangers, within this Territory to keep their offices at the court-houses of their respective counties.

Ordered, that this bill be read, which being read the first time was passed and sent to the Council.

Received from the Council, a bill to amend an act passed at Knoxville, September the 30th, 1794, intituled, 'An act ascertaining what property in this Territory shall be deemed taxable property, and the method of collecting public taxes,' endorsed, read the first time and passed.

Ordered, that this bill be read, which being read the first time was passed and returned.

Received from the Council, a bill to amend an act, intituled, 'An act to regulate and ascertain the several officers fees therein contained, passed at Knoxville, September 29, 1794, endorsed, read the second time and passed.

Ordered, that this bill be read, which being read was amended, passed and returned.

On motion, a bill was presented to suspend the operation of an act, intituled, 'An act for the relief of such persons as have been disabled by wounds, or rendered incapable of procuring for themselves and families subsistence, in the militia service of this Territory, and providing for the widows and orphans of such as have died.

Ordered, that this bill be read, which being read the first time was passed and sent to the Council.

Received from the Council, a bill to divide the county of Washington into two distinct counties; endorsed, read the second time and passed.

Ordered, that this bill be read, which being read the third time was amended, passed and returned.

On motion, a bill was presented appointing commissioners to erect a court-house, prison and stocks in the county of Sevier, and to lay out and establish a town in the same.

Ordered, that this bill be read, which being read the first time was passed and sent to the council.

Mr. Tipton from the committee of propositions and grievances, Reported, that the petition of Archibald Fisher and James Reese, praying a redress; also, the petition of sundry inhabitants of Mero district, praying that an act pass to prevent horse racing; likewise, the petition of sundry inhabitants of Knox, Jefferson, and Hawkins counties, praying a division of said counties, ought to be refered to the next General Assembly.

And that the petition of sundry inhabitants of Sevier county, praying

that a court-house, prison and stocks, be erected in said county, is reasonable and that commissioners be appointed to fix on the place.

JOHN TIPTON, Chr.

Concurred with and sent to the Council.

Received from the Council, a resolution of this House, respecting the business of the session; endorsed, concurred with.

Also, a bill appointing commissioners for regulating the town of Greenville, in Greene county.—And a bill to authorise the sheriffs to collect their arrearages in the different counties; endorsed, read the first time and passed.

Ordered, that these bills be read which being read the second time were passed and returned.

The petition of George Gillespie, praying an allowance for his services as sheriff in Washington district, was read and referred to the committee of propositions and grievances, and sent to the Council.

A message from the Council:

Mr. Speaker and Gentlemen of the House of Representatives,

The Council do not concur with your proposition in referring the petition of George Gillespie to the committee of propositions and grievances, but propose that a special committee of claims be appointed; and on their part name Mr. Taylor.

Concurred with, and Messrs. Cocke, Landers, and Wear, are appointed on the part of this house.

Received from the Council, a bill to prevent the recovery of money won by horse racing; endorsed, read the first time and passed.

Ordered, that this bill be read which being read the first time was passed and returned.

On motion, a bill was presented to appoint commissioners for the regulation of Clarksville, in Tennessee county.

Ordered, that this bill be read which being read the first time was passed and sent to the Council.

Received from the Council, a bill for appointing commissioners in the county of Jefferson, for the purpose of erecting a court-house, &c. endorsed, 'read the second time and passed.'

And a bill to repeal an act of the General Assembly, entitled, an act to repeal an act requiring persons holding monies arising from fines and forfeitures, &c. endorsed, 'Read the third time and passed.'

Ordered, that these bills be read, which being read, the former was on motion rejected, and the latter read the third time, amended by consent of the Council and ordered to be engrossed.

Received also, a bill declaring in force an act of the General Assembly of North Carolina, passed at Fayetteville, on the first of November, 1790, entitled, an act empowering the county courts to direct the secretary of state to correct certain patents, endorsed, 'Read the first time and passed.'

Ordered, that this bill be read, which being read, was passed the first time and returned.

Adjourned until to-morrow 9 o'clock, A.M.

WEDNESDAY, JULY 8, 1795.

MET according to adjournment.

Received from the Council a bill to amend an act, passed at Knoxville, Sept. 30, 1794, entitled an act ascertaining what property in this Territory shall be deemed taxable, &c. And a bill limiting the time of attendance of grand jurors, &c. each endorsed, 'read the second time amended and passed.'

Ordered, that these bills be read, which being read were amended, passed the second time and returned.

Received also, a bill to suspend the operation of an act, for the relief of such persons as have been disabled by wounds, &c. And a bill establishing Blountville, in Sullivan county, each endorsed, read the first time and passed.'

Ordered, that these bills be read which being read, were amended, passed the second time, and returned:

Received also, a bill to appoint commissioners to erect a court-house, &c. in the county of Sevier. And a bill to compel the clerks of courts, registers and rangers to keep their offices at the court houses of their respective counties, each endorsed, 'read the first time and passed.

Ordered to be read, which being read, the former was amended, passed the second time and returned, and the latter was, on motion laid over till the next assembly.

And a bill appointing commissioners for the regulation of the town of Greeneville, endorsed, 'read the second time and passed.

Ordered that this bill be read, which being read, was passed the third time and returned.

On motion, ordered, that the determination on Monday, on the bill to divide the county of Knox be rescinded, and that the bill be taken up and reconsidered.

On motion of Mr. Hardiman and seconded, ordered, that the yeas and nays on the question, be entered on the journal.

For reconsidering the bill: Messrs. Cocke, Tipton, Taylor, Kelly, Wear, Rutledge, and Doherty,—Against it, Messrs. M'Min, Hardiman, Ford, Landers, and Beaird.—Yeas 7.—Nays 5:

The said bill to divide Knox county being taken up and read was passed the third time and sent to the Council.

Received from the Council, a bill to appoint commissioners for the regulation of Clarksville, in Tennessee county; endorsed, read the first time and passed: And a bill to prevent the recovery of money won by horse racing; endorsed, read the second time, amended and passed.

Ordered, that these bills be read, which being read the second time, the former was passed and returned, and the latter rejected.

Adjourned until to-morrow, 9 o'clock.

THURSDAY, JULY 9, 1795.

Met according to adjournment.

The committee to whom was referred the report of the treasurer of Washington and Hamilton districts,

Report, that from the statement of the treasurer of returns made from the Clerks of Greene, Hawkins, Jefferson, Sevier and Knox counties, the sum of four thousand two hundred and eighty-seven dollars & four & one half cents arises from taxation out of those counties : That there is a tax yet due on fifty six original grants of sixty-two and a half cents each, registered by the register of Knox county : That the clerk of the superior court of Washington district, reported to him, that the amount of taxes on suits at law, fines and forfeitures, by him received since the first day of June, 1794, until the first day of June, 1795, in part discharge of which amount, he hath produced authenticated certificates for the attendance of members of the last General Assembly, but the sum is not particularized by the treasurer.

Your committee remark, that the treasurer of Mero district as yet, has made no return, neither have the clerks of Davidson, Tennessee, Sullivan, or Washington counties, which neglect is suggested to be occasioned by the sudden and unexpected call of the present General Assembly : Therefore, they are of opinion, a longer time ought to be allowed to the said treasurer and clerks to bring forward their reports.

Your committee beg leave to observe, that the monies arising from the tax levied by the last General Assembly very much exceeds their most sanguine expectations ; and that such will be the state of the treasury department, that the next tax to be levied may be very much lessened, and then be fully commensurate and adequate to defray every expenditure and necessary contingency of our government.

JOHN SEVIER, Chr.

Endorsed, concurred with.

Read, concurred with and returned.

A message from the Council.

Mr. Speaker and Gentlemen of the House of Representatives,

The Council herewith send you a message, which they have this day received from his Excellency Governor Blount, accompanying sundry papers respecting the opening a waggon road from the state of South Carolina to this Territory.

The Council propose appointing a special committee to take into consideration and report on said communications, and on their part have named Messrs. Sevier and Taylor.

Message from the Governor :

Mr. President and Gentlemen of the Legislative Council : and

Mr. Speaker and Gentlemen of the House of Representatives,

I lay before you copies of several papers respecting the opening of a waggon road from Buncombe court house, in North Carolina, to this Territory, a list of which is subjoined, recommending that important subject to your consideration.

WM. BLOUNT.

Ordered, that the following message be sent to the Council :

Mr. President and Gentlemen of the Council :

The House of Representatives concur with your proposition of appointing a special committee to take into consideration the communications of the Governor ; and appoint on their part Messrs. Wear, Cocke, Doherty, and Taylor.

Received from the Council, a bill limiting the time of attendance of grand jurors and constables at the several courts ; endorsed, read the third time, amended and passed.

Ordered, that this bill be read, which being read the third time was amended, by consent of the Council, passed and ordered to be engrossed.

Also, a bill to alter and establish the line between the counties of Jefferson and Sevier ; endorsed, read the first time and passed.

Ordered, that this bill be read, which being read the second time, was amended, passed and returned.

On motion, a bill was presented to repeal so much of an act, intituled, An act to regulate and ascertain the several officers fees therein contained, passed at Knoxville, September 29, 1794, as respects the fees of the clerks and masters in equity, and establishing other fees in their stead.

Ordered, that this bill be read, which being read the first time, was passed and sent to the Council.

Received from the Council the following bills: A bill to appoint commissioners for the regulation of Clarksville, in Tennessee county—A bill to suspend the operation of an act, intituled, “ An act for the relief of such persons as have been disabled by wounds, &c. in the militia of this Territory.”—A bill establishing a town in Sullivan county by the name of Blountville.—A bill appointing commissioners to erect a court-house, &c. &c. in the county of Sevier ; each endorsed, read the second time and passed.

Ordered, that these bills be read, which being read the third time were passed and returned.

The committee to whom was refered the petition of George Gillespie, reported, that the prayer of the petition is reasonable, and that he be allowed the sum of one hundred and twenty dollars and fifteen cents, which sum ought to be paid and allowed him by the treasurer in the settlement of his public accounts.

ABRAHAM LANDERS, Chr.

Concurred with, and sent to the Council.

Received from the Council the report of the committee on the petition of George Gillespie, endorsed, concurred with.

Also, a bill providing for the enumeration of the inhabitants of this Territory, endorsed, read the second time, amended and passed.

Ordered, that this bill be read, which being read the third time was amended, passed and returned.

Resolved, that George Gillespie, sheriff of Washington county, be allowed one hundred and twenty dollars and fifteen cents, for monies expended and services performed as sheriff in Washington district.

Adjourned until to-morrow 9 o'clock.

FRIDAY, JULY 10, 1795.

Met according to adjournment.

Received from the Council, a bill to alter and establish a line between the counties of Jefferson and Sevier, endorsed, read the second time and passed.

Ordered, that this bill be read, which being read the third time was amended, passed and returned.

Also, a bill to amend an act passed at Knoxville, September 30, 1794, intituled, "An act ascertaining what property shall be deemed taxable property, &c. endorsed, read the third time, amended and passed.

Ordered, that this bill be read, which being read the third time was amended by consent of the Council, passed and ordered to be engrossed.

Likewise, a bill to repeal so much of an act, intituled, "An act to regulate and ascertain the several officers fees," &c. passed at Knoxville, Sept. 29, 1794, endorsed, read the first time and passed.

Ordered, that this bill be read, which being read the second time was amended passed, and returned.

Mr. Hardiman who had leave to enter his dissent against the bill providing for the enumeration of the inhabitants of this Territory, entered the following:

1st. It will be leading the people into a change of government, and burdening them with additional taxes, without a certainty of deriving any advantages from it, and which they themselves have not requested.

2d. There are only two sources of revenue, one by travellers and the other by the United States, to enable the people to pay the expenditures of government, both in my opinion inadequate to that purpose.

3d. In taking the census, the travellers may be numbered in each of the counties they travel through, and thereby we may be imposed upon.

THOMAS HARDIMAN.

Ordered, that the following message be sent to the Council,

Mr. President and Gentlemen of the Legislative Council,

The House of Representatives propose that the estimates for the General Assembly be made out until the 11th instant, inclusive, with which they request your concurrence.

Adjourned until to-morrow, 9 o'clock, A.M.

SATURDAY, JULY 11, 1795.

MET according to adjournment.

Received from the Council, a bill to repeal so much of an act, intituled, "An act to regulate and ascertain the several officers fees therein contained, passed at Knoxville, September 29, 1794, endorsed, read the second time and passed.

Ordered, that this bill be read, which being read the third time was passed and returned.

Whereas it appears to the General Assembly by the oath of Joseph M'Min, esq. that he drew the certificate granted to William Cocke, esq. for his attendance as a member at the last session of assembly, at Knox-

ville, by direction of said Cocke, and that he has lost or mislaid the same, so that he cannot find it, and that he never delivered it to the said Cocke.

Resolved, that the clerk be directed to make a new certificate for William Cocke, esq. for fifty two dollars and thirty three and one half cents, for his attendance at the last session of Assembly, in lieu of the certificate so lost or mislaid.

Sent for concurrence.

Returned, endorsed, read and concurred with.

Received a message from the Council, concurring with the message of this house with respect to making out the estimates.

Ordered, that the following message be sent to the Council ;

Mr. President and Gentlemen of the Legislative Council :

We propose that the allowance to be made to each member of the General Assembly, per day, be two dollars and fifty cents, and the clerks the same per day as a member, and be allowed the same for stationary and engrossing that they were allowed at the last session ; and that each member and clerk be allowed two dollars and fifty cents for every thirty miles riding to and from the assembly ; and that each doorkeeper be allowed two dollars for each days attendance, with which we request your concurrence.

Received from the Council, a message concurring with the above.

Resolved, that Baldwin Harle and William L. Lovely, be allowed twenty dollars for drawing and engrossing eight bills.

Sent for concurrence.

Received also, a resolution of this house in favor of Baldwin Harle and William L. Lovely, endorsed, read and concurred with.

Received from the Council the following report :

Your committee to whom was refered the resolution of the assembly of South Carolina, together with Governors Vanderhorst's and Blount's letters, on the subject of cutting and opening a road thro' the Eastern mountains, report the following resolution :

Resolved, That his Excellency Governor Blount be authorised and directed to appoint three commissioners, to meet the three commissioners appointed by the state of South Carolina, to deliberate and consult on measures for the purpose of cutting and opening a road through the eastern mountains, and report unto our next general assembly the result of their conference ; also, the practicability and probable expence of cutting and opening the said road, the nearest and best rout through the mountains—That the Governor, also, be authorised and empowered to draw a sum out of the treasury, not exceeding one hundred dollars, for the purpose of defraying the necessary expences of said commissioners. Which is submitted. Endorsed, concurred with, which being read was concurred with.

Received from the Council the following resolution :

Resolved, that George Roulstone and William Macklin be allowed thirty-five dollars for drawing and engrossing fourteen bills ; read and concurred with.

A message from the Council.

Mr. Speaker and Gentlemen of the House of Representatives,

The business being about to be brought to a close this evening, we pro-

pose that a message be sent to the Governor informing him of the same, and request to be prorogued ; that a member from each house wait on him accordingly, and appoint Mr. Taylor on their part.

Concurred with, and Mr. Cocke appointed on the part of this house.

Received from the Council, a resolution allowing John Stone ten dollars, for the use of his house ; read and concurred with.

Resolved, that it is the sense of this house, that James White, esq. elected at the last session of the General Assembly to represent this Territory, in the Congress of the United States, was elected to represent the Territory in Congress during the existence of the temporary government.

Received from the Council, a resolution of this house respecting the election of James White, endorsed, read and concurred with.

A message from the Governor.

William Blount, Governor, in and over the Territory of the United States of America, south of the river Ohio,

*To the President and Gentlemen of the Legislative Council, and
The Speaker and Gentlemen of the House of Representatives :*

The business of this session being completed, the General Assembly is prorogued *sine die*.

Given under my hand and seal, at Knoxville, July 11, 1795.

WILLIAM BLOUNT,

By the Governor,

THOMAS H. WILLIAMS, *Pro Sec'y*.

Estimate of the wages of the House of Representatives, clerks and door-keepers, at a session commencing June 29, 1795, and ending July 11, 1795, allowing two dollars and fifty cents per day for each member and clerk, and two dollars for the door-keepers, and two dollars and fifty cents for every thirty miles riding to and from the assembly, to the members and clerks, also, their ferriages.

	<i>Days.</i>	<i>Ferries.</i>	<i>Miles.</i>	<i>Dolls.</i>	<i>Cents.</i>
Joseph Hardin,	13	2	150	45	16 2-3
George Doherty,	13	2	60	37	66 2-3
William Cocke,	13	2	100	41	16 2-3
John Tipton,	13	2	218	50	79
Leeroy Taylor,	13	2	200	49	32 2-3
James Ford,	13	4	460	71	52
Joseph M'Min,	13	2	170	46	99 1-3
Alexander Kelly,	13	2	25	34	74 2-3
Thomas Hardiman,	13	6	370	64	7
Abraham Landers,	13	4	350	62	16
Samuel Wear,	12	2	60	35	16 2-3
George Rutledge,	11	2	240	47	32 1-3
John Beaird,	13	0	30	35	
Baldwin Harle, clerk,	13	2	200	49	32 2-3
Do. for stationary and en- grossing,				35	
Wm. L. Lovely, clerk,	13	2	200	49	32 2-3
Do. for stationary and en- grossing,				35	
R. Mynat, doorkeeper,	13			26	

Dollars, 815 74 2-3

Ordered, that the Honorable Speaker sign the Journal of this house, as the proceedings thereof, and that the clerk attest the same.

JOSEPH HARDIN, S. H. R.

Test.—*Baldwin Harle*, C. H. R.